

CLOSED

**U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CRIMINAL DOCKET FOR CASE #: 5:16-mj-00176-BMJ-1**

Case title: United States of America v. Search Date Filed: 06/09/2016
Warrant Date Terminated: 06/20/2016

Assigned to: Magistrate Judge
Bernard M. Jones

Defendant (1)

Search Warrant

*In the Matter of the Search of
Premises located at 7820 East
State Highway 9, Norman, OK
73026*

TERMINATED: 06/20/2016

Pending Counts

Disposition

None

**Highest Offense Level
(Opening)**

None

Terminated Counts

Disposition

None

**Highest Offense Level
(Terminated)**

None

Complaints

Disposition

None

Plaintiff

United States of America

represented by **Robert D Gifford , II**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
06/09/2016	<u>1</u>	APPLICATION AND AFFIDAVIT by United States of America as to Search Warrant. (dl) (Entered: 06/09/2016)
06/20/2016	<u>3</u>	Search and Seizure Warrant Returned Executed on 6/10/2016 in case as to Search Warrant (dl) (Entered: 06/20/2016)

Case 5:16-mj-00176-BMJ Document 1 Filed 06/09/16 Page 1 of 13

AO 106 (Rev. 04/010) Application for Search Warrant

AUTHORIZED AND APPROVED/DATE: *ADH/jj 9 June 16*

UNITED STATES DISTRICT COURT

for the
WESTERN DISTRICT OF OKLAHOMAIn the Matter of the Search of
(Briefly describe the property to be searched
Or identify the person by name and address)Case No: M-16-*176* -BMJPremises located at
7820 East State Highway 9,
Norman, OK 73026**FILED**

JUN 09 2016

GARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
S/ under penalty of perjury

I, H. Cris Lang, a federal law enforcement officer, request a search warrant and I have reason to believe that on the following property (identify the person or describe property to be searched and give its location):

Premises, located 7820 East State Highway 9, Norman, OK 73026 as more fully described in "Attachment A," which is attached and incorporated by reference herein.

Located in the Western District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See "Attachment B," which is attached and incorporated by reference herein.

The basis for the search under Fed. R. Crim.P.41(c) is (check one or more):

evidence of the crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Codes Sections

18 U.S.C. § 1589(3)

Offense Descriptions

Obtaining the labor or services of a person by means of abuse or threatened abuse of law or legal process.

The application is based on these facts:

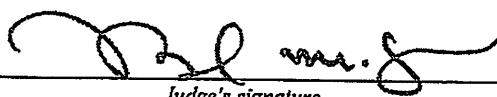
See attached Affidavit of Special Agent H. Cris Lang, Federal Bureau of Investigation (FBI), which is incorporated by reference herein.

Continued on the attached sheet(s).
 Delayed notice of [No. of Days] days (give exact ending date if more than 30 days) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet(s).

*H. Cris Lang**Applicant's signature*H. Cris Lang
Special Agent, FBI

Sworn to before me and signed in my presence.

Date: 6/9/16



Judge's signature

City and State: Oklahoma City, Oklahoma

BERNARD M. JONES, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF

AN APPLICATION FOR A SEARCH WARRANT

I, H. Cris Lang, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent of the FBI since March 1998. As a Special Agent, I am authorized to investigate violations of the laws of the United States and to execute warrants issued under the authority of the United States.
2. I am conducting an investigation of Rany Kchao, of Norman, Oklahoma, for his activities as it relates to forced labor.
3. I submit there is probable cause to believe Kchao has knowingly obtained the labor or services of a person by means of abuse or threatened abuse of law or legal process, in violation of 18 U.S.C. § 1589(B).
4. I am submitting this affidavit in support of a search warrant authorizing a search of the location, to include computer(s), computer equipment, cellular telephones, listed in Attachment A, for the person and items that may be used in bringing a victim to the United States and being compelled to work against their will as specified in Attachment B hereto, which items constitute instrumentalities, fruits, and evidence of the foregoing violations. Pursuant to the authorities of this Court and Rule 41 of the Federal Rules of Criminal Procedure, I am requesting authority to search

the location listed in Attachment A, for the person and items specified in Attachment B, and to seize the person and items listed in Attachment B as instrumentalities, fruits, and evidence of the aforementioned crimes.

5. Since this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me regarding this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to support the issuance of a search warrant.

TRAFFICKING STATUTES

6. Title 18, Chapter 77, contains a number of different criminal statutes prohibiting various forms of compelled or coerced labor, services, or commercial sex. The statutes passed in the post-civil war era are sometimes referred to as Involuntary Servitude and Slavery crimes. The remaining statutes were passed as part of the Trafficking Victims Protection Act of 2000.

A. Involuntary servitude and slavery statutes

7. The involuntary servitude and slavery statutes, codified at 18 U.S.C. §§ 1581-1584 (2000), include § 1584's prohibition against involuntary servitude, § 1581's prohibition against peonage, and § 1583's prohibition against enticement into slavery. These statutes have been interpreted by the Supreme Court in *United States v. Kozminski*, 487 U.S. 931, 952 (1988), to require very specific forms of coercion limited to physical force or restraint, threats of physical force or restraint, or threats of legal coercion tantamount to incarceration. The involuntary servitude statute requires proof that

a person was held in service to another for a term through one of these prohibited means of coercion. The peonage statute requires proof of all of the elements of involuntary servitude plus proof that the servitude was tied to the discharge of a debt.

B. Trafficking Victims Protection Act statutes

8. The main provisions of the Trafficking Victims Protection Act (TVPA) are the forced labor statute, 18 U.S.C. § 1589(2000), and the sex trafficking statute, 18 U.S.C. § 1591(2006). Both of these statutes criminalize broader forms of coercion than those prohibited under the older, involuntary servitude and slavery statutes and include threats of nonphysical harm as well as threats of harm to third persons.
9. Section 1589 prohibits the obtaining of labor or services by any of three means:
 - a. by threats of serious harm to or physical restraint of any person;
 - b. by means of a scheme, plan, or pattern intended to cause the person to believe that they or another would suffer serious harm or physical restraint if they did not perform such services; or,
 - c. by means of the abuse or threatened abuse of law or legal process.
10. To convict a defendant of forced labor, the government must prove that a defendant knowingly used one or more of these means to provide or obtain the labor or services of another person. The term "serious harm" under this statute encompasses physical and

nonphysical types of harm and the statute by its terms applies to threats toward third persons, such as a victim's family members.

11. The TVPA contains additional criminal provisions including, 18 U.S.C. § 1592 (2000), which prohibits the withholding of identification documents in connection with a trafficking offense, 18 U.S.C. § 1590 (2000), which prohibits trafficking a person into servitude, and 18 U.S.C. § 1594(2000), which makes an attempted violation of Chapter 77 punishable to the same extent as a completed violation.

PROBABLE CAUSE

12. On June 1, 2016, the Oklahoma City Field Office of the Federal Bureau of Investigation received information from the United States Department of Labor (DOL), Assistant District Director Mike Lonesky regarding possible human trafficking activity at Norman, Oklahoma.

13. According to Mr. Lonesky, DOL investigators interviewed Beverly Marlow. Ms. Marlow had been previously employed at the Whispering Pines Inn Bed and Breakfast (formally known as the Whispering Pines Inn) located at 7820 East State Highway 9, Norman, Cleveland County, Oklahoma, within the Western District of Oklahoma. While working there, Ms. Marlow sustained an on the job injury and has not worked there since December 2015.

14. Ms. Marlow provided a written statement to DOL investigators. Based on Ms. Marlow's statement, the owners of the Whispering Pines Inn Bed and Breakfast were identified as Rany Kchao and his wife Thavory Kchao (referred to as Terry). The Kchaos are from Cambodia. Approximately two years ago, a Cambodian female by

the name of At Toem, also known as Srey, traveled to the United States to work for the Kchaos at the Whispering Pines Inn Bed and Breakfast. According to immigration documents, Toem is not related to the Kchaos.

15. The Kchaos sponsored Toem's immigration petition, and made her sign a promissory note for \$8,000.00. The Kchaos told Toem that it would take her three years for her to pay off the note. The \$8,000.00 was for her passage to the United States and payment to her family in Cambodia. Based on a preliminary review by the Department of Labor investigator, Toem should have received approximately \$80,000.00 in wages to date based upon her working at a minimum wage rate for the seven days a week, 14-15 hour work days she has been working.
16. According to Ms. Marlow, the Kchaos maintain all of the original identification documents of Toem (to include immigration documents), and do not allow Toem to have access to them. Toem is allowed to keep a copy of the Resident Card and the I-134 (Affidavit of Support).
17. Toem told Ms. Marlow that she was told that she had won a lottery to come to the United States. Toem works seven days per week at the Whispering Pines Inn Bed and Breakfast, and often working from 7:00 a.m. until 9 or 10:00 p.m. However, Ms. Marlow never saw Toem receive wages from the Kchaos. The Kchaos hold Toem's visa and other forms of identification, and do not permit Toem to leave the premises unless she is with Thavory or Rany Kchaos. Toem speaks limited English, and lives with the Kchaos in their house in a room with Thavory's mother. Toem is afraid of

Thavory Kchao, and Ms. Marlow has seen Thavory Kchao being emotionally cruel to Toem. On at least one occasion Thvory Kchao hit Toem with a towel, because a guest had stolen a towel.

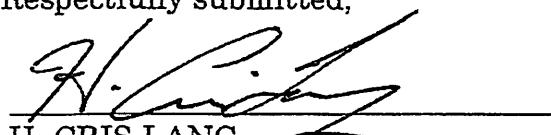
18. Toem has a cellular telephone, and Ms. Marlow communicates with Toem through hand motions, some English, texting, and e-mails. In January 2016, Toem sent a text to Ms. Marlow in which she wrote, "Grandma why do I they look down on me? I'm alone."
19. In another text sent in January, 2016, Toem wrote, "Am I stupid? Grandma pa. Why they always say like that. It was make me hurt my heart and my mind. I try save money to them. I will leave."
20. On one occasion Ms. Marlow took Toem on a short trip to a local lake without the Kchao's knowledge. Toem was extremely nervous about being caught by the Kchaos.
21. Toem gave birth to a girl in May 2015. Ms. Marlow understands from Toem that she was forced to give the baby up for adoption. Toem would not discuss the baby's father's identity. Toem seemed upset about giving up her baby.

LOCATION TO BE SEARCHED AND THINGS TO BE SEIZED

22. It is requested that a warrant for the search of the premises known as the Whispering Pines Inn Bed and Breakfast located at 7820 East State Highway 9, Norman, Cleveland County, Oklahoma, within the Western District of Oklahoma, to include both the business and the owner's residence for the natural person of At Toem, immigration documents regarding At Toem, employment documents regarding At Toem, computer records/data of the same (including cell phone) and adoption documents regarding the child of At Toem.

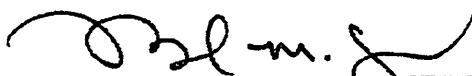
23. Based on the foregoing to include excessive work schedule, lack of just pay, the mental abuse, the withholding of Immigration/Identification documents, and the exploitation of an \$8,000.00 promissory note from 2015, I request that the court issue the proposed search warrant.

Respectfully submitted,



H. CRIS LANG
Special Agent, Federal Bureau of Investigation

Subscribed and sworn to before me
on June 9, 2016:

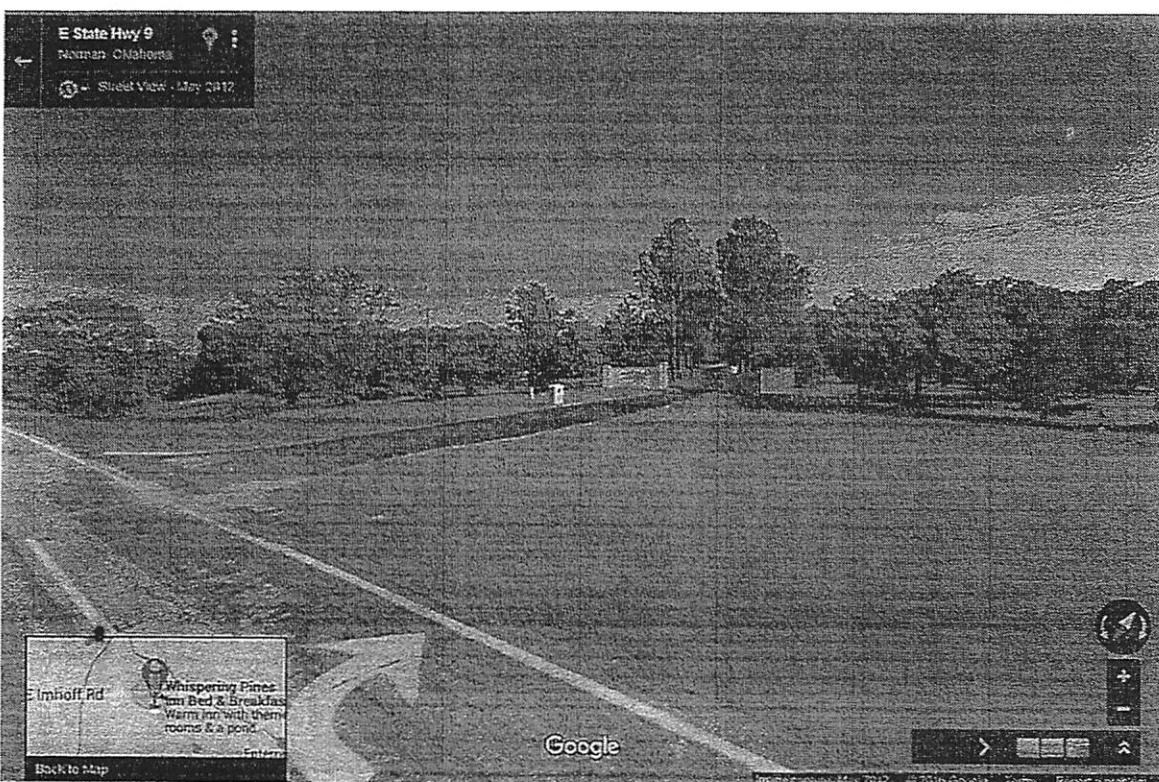


BERNARD M. JONES
United States Magistrate Judge

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**ATTACHMENT A
LOCATION TO BE SEARCHED**

7820 East State Highway 9, Norman, OK 73026
Cleveland County, Western District of Oklahoma

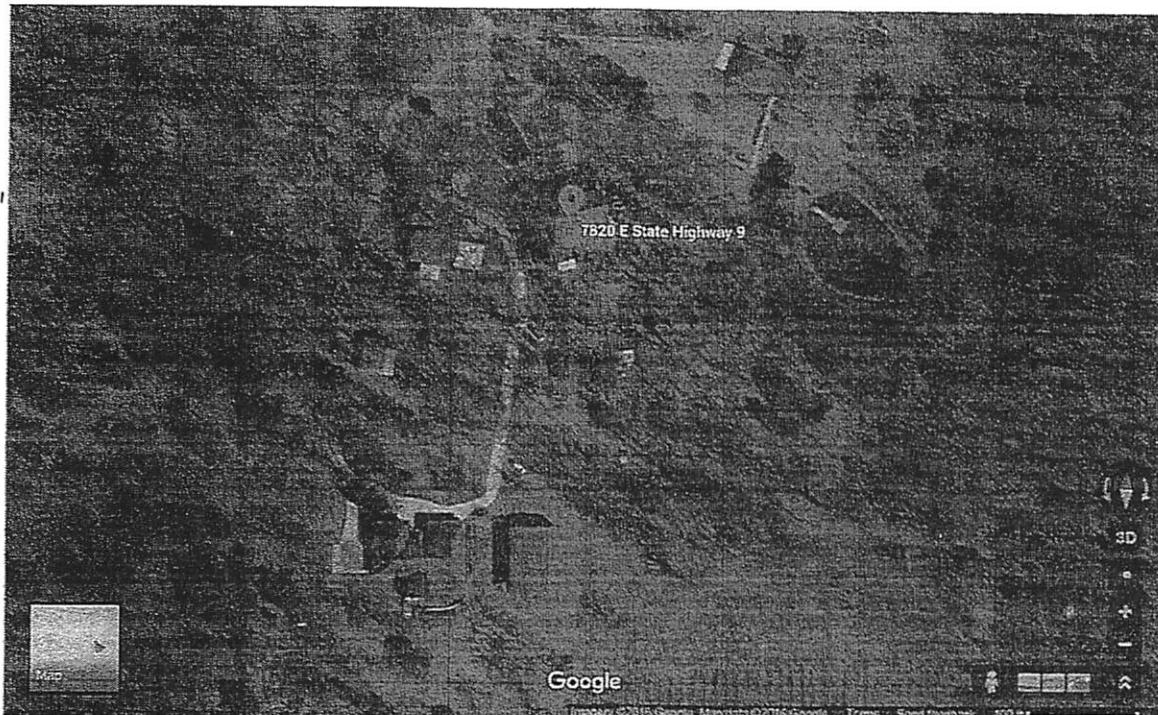


9/12
8/12

Case 5:16-mj-00176-BMJ Document 1 Filed 06/09/16 Page 11 of 13

**ATTACHMENT A
LOCATION TO BE SEARCHED**

The premises known as the Whispering Pines Bed and Breakfast is located at 7820 East State Highway 9 in Norman, off of State Highway 9, between SE 72nd and SE 84th Ave. The search is to include both the business and the owner's residence for the natural person of At Toem.



*Hez
PS*

ATTACHMENT A
LOCATION TO BE SEARCHED

The property sits on approximately 19.5 acres and has many structures on the premises. The primary focus is to be in the main building (bed and breakfast), which includes the office, and the residence of At Toem.



ATTACHMENT B

ITEMS TO BE SEIZED

1. Items of personal property that tend to identify the person(s) in residence, occupancy, control, or ownership of the premises that is the subject of this warrant, including but not limited to canceled mail, deeds, leases, rental agreements, photographs, personal telephone books, diaries, utility and telephone bills, statements, identification documents, locks and keys;
2. Documents indicating travel in interstate commerce, to include airline tickets, notes and travel itineraries; airline schedules; bills; charge card receipts; hotel, motel, and car rental statements; correspondence with travel agencies and other travel-related businesses; airline, rent-a-car, and hotel frequent flier or user cards and statements; passports and visas; telephone bills; photographs of foreign locations; and papers relating to domestic and international travel;
3. Photographs of associates;
4. Computers and stored electronic data containing business and financial records;
5. Cellular telephones with numbers stored within and their associated records;
6. Any electronic devices with numbers stored within and their associated records;
7. Immigration documents regarding At Toem;
8. Employment documents regarding At Toem;
9. Adoption documents regarding the child of At Toem; and
10. The person of At Toam

*HCC
B8*

Norman Bed And Breakfast Owner Accused Of Keeping An Indentured Servant

Posted: Jun 14, 2016 9:11 PM CDT Updated: Jun 14, 2016 9:11 PM CDT

BY JESSICA HOLLEY [BIO](#) [EMAIL](#)



NORMAN, Oklahoma - A Norman bed and breakfast is now under investigation by the FBI after claims surfaced that they were keeping an employee as an indentured servant.

Investigators said the owners payed for the Cambodian woman to come to America, in return she would work off her debt.

Federal investigators said the Cambodian woman worked at the bed and breakfast for the past two years, working 14 to 15 hours a day and never received a paycheck.

Tucked back in the trees off Highway 9 in Norman sits the Whispering Pines Bed and Breakfast.

The popular wedding venue is now the center of a FBI investigation.

The investigation began when a former employee reported another housekeeper was not being paid and was forced to work long hours all while pregnant.

Investigators recently searched the property, seizing a number of items include



Oklahoma's Own

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The owners told the woman it would take her "three year to pay off the note."

Though by the U.S. Department of Labor's calculation, even if she was making minimum wage, the woman "should have received approximately \$80,000" based on the hours she worked.

Investigators said the woman was "forced to give her baby up for adoption" and the owners kept "all the original identification documents."

Court records show the former employee told investigators the owners were "emotionally cruel to [the woman]" and one time hit her with a towel because a guest had stolen a towel.

News 9 spoke with one of the bed and breakfast owners who said there's more to the story.

"The true story will come out later. But this one, I don't want to say anything yet, because I need to contact a grandfather and pull out the whole file. That's the true story," a Whispering Pines Bed and Breakfast owner said.

The FBI continues to build a possible human trafficking case against the bed and breakfast owners.

Some of the information in this news story may have been provided by law enforcement with the request News

LIVE EVENT 

Donald Trump town hall (/news/nation-world/gop-frustrations-with-trump-mount-as-allies-weigh-options-08-04-2016)



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(<https://www.linkedin.com/shareArticle?mini=true&url=http://okcfox.bech/news/local/norman-bed-and-breakfast-under-investigation-for-human-trafficking&title=&summary=&source=0>)

Norman bed and breakfast under investigation for human trafficking

BY AUSTIN PRICKETT | TUESDAY, JUNE 14TH 2016



The owners of Whispering Pines Bed and Breakfast in Norman are under investigation for human trafficking. (KOKH)



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The owners of a Norman bed and breakfast are accused of having an indentured servant from Cambodia.

An application for a search warrant filed in federal court shows an investigation into forced labor and human trafficking began June 1 into Rany Kchao and Thavory Kchao, owners of Whispering Pines Inn and Bed and Breakfast, 7820 E. SH 9.



A former employee of the bed and breakfast told authorities that the Kchaos are from Cambodia and approximately two years ago a woman came from Cambodia to work for the couple at the inn. An investigation shows that the Kchaos sponsored the woman's immigration petition and made her sign a \$8,000 promissory note.

The Kchaos allegedly told the woman it would take her three years to work off the money. A Department of Labor investigator shows that based on minimum wage the woman should have made \$80,000 for the work she performed over three years.

The witness also told authorities that the Kchaos maintain all of the Cambodian woman's identification documents and do not allow her access to them. The woman reportedly works seven days a week at the inn and is not allowed to leave without the Kchaos. The woman also had a child and was allegedly forced to give it up for adoption.

The Kchaos also allegedly beat the woman with a towel when a guest had stolen a towel.

No charges have been filed at this time.

THE OKLAHOMAN

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Norman inn being investigated after report of Cambodian woman held as indentured servant



by Brianna Bailey • Published: June 14, 2016 • Updated: Jun 14, 2016



The Whispering Pines Inn in southeast Norman is under investigation for alleged human trafficking. [Facebook]

NORMAN — A Norman bed-and-breakfast is under investigation for allegedly keeping a Cambodian woman as an indentured servant after paying for her passage to the United States.

The woman, a worker at Whispering Pines Inn, 7820 E State Highway 9, allegedly was subjected to mental abuse from her employer and forced to give a child up for adoption after she became pregnant while working at the bed-and-breakfast, according to an application

or a search warrant filed in U.S. District Court for the Western District of Oklahoma.

FBI agents raided the bed-and-breakfast last week in search of evidence of human trafficking in connection with the case.

The owners of Whispering Pines, husband and wife Rany and Thavory Kchao, sponsored the woman's immigration to the United States, according to the court filing. In exchange, the woman signed a promissory note for \$8,000 that included payment to her family and travel expenses, according to the application for a search warrant.



A receptionist who answered the telephone at Whispering Pines on Monday said the Kchaos would have no comment on the investigation.

The Kchaos told the Cambodian woman she would have to work three years to pay off the \$8,000, but after working at Whispering Pines 14 to 15 hours a day, seven days a week, she should have received about \$80,000 in wages, according to the search warrant

application.

Another former employee at Whispering Pines reported the Cambodian woman's treatment to authorities after learning the foreign worker received no wages and appeared to be afraid of the Kchaos.

The Cambodian woman gave birth to a girl in May 2015, but told her co-worker that she was forced to give the baby up for adoption.

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Norman inn's owners deny keeping woman as indentured servant

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Whispering Pines owner speaks out.

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[The Cambodian woman] would not discuss the baby's father's identity ... seemed upset about giving up her baby," the search warrant application claims.

RELATED: Norman inn's owners deny keeping woman as indentured servant

Although the Cambodian woman spoke only limited English, the former employee struck up a friendship with her, using hand signals, email and text messages to communicate.

The Kchaos would not let the Cambodian woman have access to her immigration documents and did not allow her to leave the 19-acre bed-and-breakfast compound in southeast Norman on her own, the former co-worker told authorities.

The Cambodian woman called her co-worker "Grandma" in text-message exchanges and complained of abuse and isolation at the hands of their employer.

"Grandma why do I they look down on me? I'm alone," the Cambodian woman wrote in one text.

"Am I stupid? Grandma pa. Why they always say it like that," the Cambodian woman wrote in another text. "It will make me hurt my heart and my mind. I try save money to them. I will leave."

VIDEO: Whispering Pines owner speaks out.

In an affidavit contained with the search warrant application, FBI Special Agent H. Cris Lang described Thavory Kchao's behavior toward the Cambodian woman as "emotionally cruel."

On at least one occasion, Thavory Kchao hit ... (the Cambodian woman) with a towel, because guest had stolen a towel," Lang wrote.

FBI Special Agent Terry Weber said he could not comment on the matter because the investigation into Whispering Pines was ongoing.

No criminal charges have been filed in the matter.

The case was initially investigated by the U.S. Labor Department, which later handed the matter over to the FBI, according to the search warrant application.

uan J. Rodriguez, a Labor Department spokesman, said the agency is not currently involved in the investigation.



Brianna Bailey



Brianna Bailey has lived in Idaho, Germany and Southern California, but Oklahoma is her adopted home. She has a bachelor's degree in Journalism... [read more >](#)

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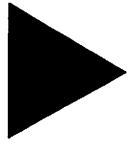
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Norman bed and breakfast being investigated for forced labor

POSTED 1:01 PM, JUNE 14, 2016, BY ABBY BROYLES, UPDATED AT 06:18PM, JUNE 14, 2016

Norman Bed and Breakfast Investigation



NORMAN, Okla. - Federal investigators are looking into whether the owners of a Norman bed and breakfast forced a woman to work against her will – and even give up her baby.

It wasn't until another employee's case with the Department of Labor that the allegations came to light.

The woman is from Cambodia and came to work for the bed and breakfast two years ago.

Since that time, she reportedly worked 14-15 hour days, even while she was pregnant, and hasn't made a dime.

Just off Highway 9 in Norman, the Whispering Pines Bed and Breakfast looks peaceful and serene.

But for one woman who spent her days and nights there, it seemed to be much more like a nightmare.

But, a former employee told investigators she never saw the owners pay Srey.

"It's difficult to tell how this person actually came in," said immigration law attorney Doug Stump.

Stump said something doesn't add up.

The owners, Rany and Terry Kchaos, sponsored Srey's immigration petition but made her pay them \$8,000, telling her "it would take her three years for her to pay off the note."

But, Srey was also told she won a lottery to come to the U.S.

"If it was the diversity Visa program as alleged in the affidavit, there's no need for continued employment by the foreign national," Stump said.

That's why the Department of Labor called the FBI.

Agents raided Whispering Pines and seized cell phones, financial records and Srey's immigration, employment and adoption documents.

The former employee told investigators Srey had a baby girl in May 2015 and was very upset when the owners made her give up her daughter for adoption.

Court records show Srey was not allowed to leave the grounds there unless she was with the owners.

These are all things federal prosecutors will take a look at as they decide whether to build a case for human trafficking.

"I think, in this particular case, if they can show this person was brought in through duress or false promises and was forced to work 60 hours a week for less than minimum wage, I think it's going to fall to that level," Stump said.

We're told Srey is in a safe home while the investigation continues.

The owners have not been charged with a crime at this point.

They were not on the property when our crews were there Tuesday.

RE
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NORMAN, OK. 73026



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